

SECTION J – LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS

ATTACHMENT A

LIST OF APPLICABLE LAWS AND REGULATIONS (LIST A)

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Requirement
10 CFR 707, Workplace Substance Abuse Programs at DOE Sites
10 CFR 820, Procedural Rules for DOE Nuclear Activities
10 CFR 830, Nuclear Safety Management
10 CFR 830 Subpart A, Quality Assurance Requirements
10 CFR 830 Subpart B, Safety Basis Requirements
10 CFR 835, Occupational Radiation Protection
10 CFR 850, Chronic Beryllium Disease Prevention Program
10 CFR 860, Trespassing on Department of Energy Property
10 CFR 1008.17, Records Maintained on Individuals (Privacy Act)
10 CFR 1017, Identification and Protection of Unclassified Controlled Nuclear Information
10 CFR 1021, National Environmental Policy Act (NEPA) Implementing Procedures
10 CFR 1022, Compliance with Floodplain/Wetlands Environmental Review Requirements
10 CFR 1046, Physical Protection of Security Interests
20 CFR 617.66, Transition procedures for amendments in section 13002 through 13009 of Public Law 99-272 (Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986)
29 CFR Part 5, (Davis-Bacon Act) Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (Also Labor Standards Provisions Applicable to Non-construction Contracts Subject to the Contract Work Hours and Safety Standards Act.)
29 CFR 30, Equal Employment Opportunity in Apprenticeship and Training
29 CFR 516, Records to be Kept by Employers
29 CFR 520, Employment of Student-Learners
29 CFR 521, Employment of Apprentices
29 CFR 525, Employment of Workers with Disabilities Under Special Certificates
29 CFR 527, Employment of Student Workers
29 CFR 528, Annulment or Withdrawal of Certificates for the Employment of Student-Learners, Apprentices, Learners, Messengers, Handicapped Persons, Student-Workers, and Full Time Students in Agricultural or in Retail Service Establishments at Special Minimum Wage Rates
29 CFR 531, Wage Payments Under the Fair Labor Standards Act of 1938
29 CFR 541, Fair Labor Standards Act
29 CFR 548, Authorization of Established Basic Rates for Computing Overtime Pay
29 CFR Part 825, Family and Medical Leave Act of 1993
29 CFR 1602, Record-keeping and Reporting Requirements Under Title VII and the ADA
29 CFR 1608, Affirmative Action Appropriate Under Title VII of the Civil Rights Act of 1964, as amended
29 CFR 1611, Privacy Act Regulations
29 CFR 1620, The Equal Pay Act
29 CFR 1625, Age Discrimination in Employment Act
29 CFR 1627, Records To Be Made or Kept Relating to Age: Notices To Be Posted: Administrative Exemptions
29 CFR 1904, Recording and Reporting Occupational Injuries and Illnesses

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29 CFR 1910, Occupational Safety and Health Standards for General Industry, Subparts A thru Q, S & Z/ <i>[Excluded: Subpart R, Special Industries; Subpart T, Commercial Diving Operations]</i> :
29 CFR 1926, Safety and Health Regulations for Construction [Excluded: Subpart S, Underground Construction, Caissons, Cofferdams, and Compressed Air; Subpart T, Power Transmission and Distribution, Subpart Y, Diving]
29 CFR 2520, Rules and Regulations for Reporting and Disclosure under the Employees Retirement Income Security Act of 1974
29 CFR 4041A, Termination of Multi-employer Plans
36 CFR 1200 series, National Archives and Records Administration, Vital Records and Records Disaster Mitigation and Recovery
36 CFR 1236, Management of Vital Records
40 CFR 61, National Emission Standards for Hazardous Air Pollutants (NESHAPS)
40 CFR 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants
40 CFR 141, National Primary Drinking Water Regulations. The following sections concerning analytical methods apply as required: 141.11-16, 141.21(f), 141.23(k), 141(q), 141.24(e), 141.25(a), 141.27, 141.28, 141.30(e), 141.30-Appendix C, 141.40(g), 141.40(h), 141.41(d), 141.42(c), 141.74(a), 141.80(h), 141.89
40 CFR 247, Comprehensive Procurement Guideline for Products Containing Recovered Materials
40 CFR 300, National Oil and Hazardous Substances Pollution Contingency Plan, (CERCLA Response and Enforcement)
40 CFR 302, Designation, Reportable Quantities, and Notification
40 CFR 355, Emergency Planning and Notification
41 CFR 60-1, Obligations of Contractors and Subcontractors
41 CFR 60-3, Uniform Guidelines on Employee Selection Procedures (1978)
41 CFR 60-20, Sex Discrimination Guidelines
41 CFR 60-250, Affirmative Action and Non-discrimination Obligations of Contractors and Subcontractors Regarding Special Disabled Veterans and Veterans of the Vietnam Era
41 CFR 60-741, Affirmative Action and Non-Discrimination Obligations of Contractors and Subcontractors Regarding Individuals with Disabilities
41 CFR 101-20.103, Physical Protection and Building Security
41 CFR 102-36, Disposition of Excess Personal Property
41 CFR 102-71, Disposition of Real Property
41 CFR 109-45.309-52, Classified Property
41 CFR 109-45.309-53, Nuclear-related or proliferation sensitive property
41 CFR 409-43.307-53, Automatic data processing equipment (ADPE)
48 CFR 22, Application of Labor Laws to Government Acquisition. Subpart 22.1, Basic Labor Policies (22.101-22.103-5) and 22.8 Equal Employment Opportunity (22.800-22.810) only
48 CFR Part 970.2201, Application of Labor Policies (Pre-employment investigations)
48 CFR Part 9904, Cost Accounting Standards
49 CFR 211, Rules of Practice
49 CFR 171, General Information, Regulations, and Definitions
49 CFR 172, Hazardous Materials Table, Special Provisions, Hazardous Materials Communications,

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Emergency Response Information, and Training Requirements
49 CFR 173, Shippers-General Requirements for Shipments and Packagings
49 CFR 174, Carriage by Rail
49 CFR 177, Carriage by Public Highway
49 CFR 178, Shipping Container Specifications
50 CFR Part 402, Interagency Cooperation – Endangered Species Act of 1973, as amended
8 U.S.C. 1324a., Immigration Reform and Control Act (IRCA) of 1986
16 U.S.C. 470 et seq., National Historic Preservation Act
20 U.S.C. 401 et seq., Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA)
29 U.S.C. 158, National Labor Relations Act
29 U.S.C. 201 et seq., Federal Wage and Hour Law
33 U.S.C. Section 1251 et seq., the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977
33 U.S.C. Section 1318, Guidelines and standards for effluent, pretreatment standards, and discharge of treatment system effluent
33 U.S.C. Section 1344, the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977
38 U.S.C. 4214, Section 402, Vietnam Era Veterans Readjustment Act of 1974
41 U.S.C. 351 et seq., Service Contract Act of 1965
42 U.S.C. Sections 300(f) et seq., Safe Drinking Water Act of 1974, as amended
42 U.S.C. Section 4321 et seq., National Environmental Policy Act of 1969 (NEPA)
42 U.S.C. 6901 et seq., Resource Conservation and Recovery Act of 1976 (RCRA) (PL 940580)
42 U.S.C 6901 et seq., Federal Facilities Compliance Act of 1992
42 U.S.C. 7384 et seq., Energy Employees Occupational Injury Compensation Program Act (EEOICPA) of 2000, as amended
42 U.S.C. Sections 7401 et seq., Clear Air Act, as amended
42 U.S.C. Section 9601, Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)
42 U.S.C. Section (11001-11050) et seq., Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)
42 U.S.C. 12101, Americans with Disabilities Act of 1990
42 U.S.C. 13101-13109, Pollution Prevention Act of 1990
Executive Order 12580, Superfund Implementation at Federal Sites, signed 1-23-87
Executive Order 12656, Assignment of Emergency Preparedness Responsibilities, signed 11-18-88
Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, signed 2-11-94
Executive Order 12958, Classified National Security Information
Executive Order 13101, Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition
American Conference of Governmental Industrial Hygienist (ACGIH), "Threshold Limit Values (TLV) for Chemical Substances and Physical Agents and Biological Exposure Indices" <i>[Used where TLVs are</i>

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<i>lower than OSHA's Permissible Exposure Levels (PEL). TLV's for exposures to laser emissions in the ACGIH Indices are excluded from these requirements.]</i>
American National Standards Institute (ANSI) N323A-1997, Radiation Protection Instrumentation Test and Calibration
American National Standards Institute (ANSI) Z136.1, Safe Use of Lasers <i>[Only the exposure limits and technical requirements apply. Programmatic components of ANSI Z136.1 do not apply.]</i>
American National Standards Institute (ANSI) Z49.1, Safety in Welding, Cutting and Allied Processes, Section 4.3 and E4.3 1994
American National Standards Institute (ANSI) Z88.2-1992, Respiratory Protection
CERCLA Section 120 Federal Facility Agreement (FFA) signed between DOE and EPA (EPA Administrative Docket Number VW-90-C-075)
Emergency Response Planning Guidelines (ERPGs), American Industrial Hygiene Association (AIHA)
EPA 400-R-92-001, Manual of Protective Action Guides and Protective Actions for Nuclear Incidents, 1992
International Air Transport Association (IATA), Dangerous Goods Regulations
National Fire Protection (NFPA) Codes and Standards [Exceptions: NFPA standards not applicable to the site: 10R, 13D, 13R, 17, 17A, 32, 34, 35, 36, 40, 40E, 43B, 46, 50, 50A, 50B, 51A, 53, 57, 59, 59A, 61, 65, 73, 86C, 86D, 88A, 92B, 99, 99B, 120, 121, 122, 123, 130, 150, 231D, 231E, 231F, 260, 261, 302, 303, 306, 307, 312, 395, 402, 403, 407, 408, 409, 410, 412, 414, 415, 416, 417, 418, 423, 424, 481, 482, 485, 490, 496, 501A, 501C, 501D, 560, 650, 651, 654, 655, 803, 804, 851, 911, 912, 914, 1003, 1061, 1122, 1123, 1124, 1125, 1126, 1127, 1231, 1405, 1452, 8503, 8504]
National Fire Protection Association (NFPA) 70, National Electrical Code
National Fire Protection Association (NFPA) 70E, Electrical Safety Requirements for Employee Workplaces
Ohio Administrative Code (OAC) 1301:7-9, Underground Storage Tanks
Ohio Administrative Code (OAC) 3745-07, Water Supply Works and Wastewater Works Personnel Certification; parts -01 through -016
Ohio Administrative Code (OAC) 3745-15, General Provisions on Air Pollution Control
Ohio Administrative Code (OAC) 3745-17, Particulate Matter Standards
Ohio Administrative Code (OAC) 3745-27, Solid Waste and Infectious Waste Regulations
Ohio Administrative Code (OAC) 3745-31, Permit to Install New Sources of Pollution
Ohio Administrative Code (OAC) 3745-33, Ohio NPDES Individual Permits
Ohio Administrative Code (OAC) 3745-35, Air Permits to Operate and Variances
Ohio Administrative Code (OAC) 3745-38, Ohio NPDES General Permits
Ohio Administrative Code (OAC) 3745-50 thru 66 excluding OAC 3745-56 and OAC 3745-57, Hazardous Waste Management Systems.
Ohio Administrative Code (OAC) 3745-54-13, Waste analysis requirements before storage
Ohio Administrative Code (OAC) 3745-81, Primary Drinking Water Rules
Ohio Administrative Code (OAC) 3745-81-23, Maximum Contamination Levels and Best Available Technologies for Inorganic Compounds
Ohio Administrative Code (OAC) 3745-89, Laboratory Approval

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-03, Procedure for laboratory certification
-04, Renewal of laboratory certification
Ohio Administrative Code (OAC) 3745-100, Toxic Chemical Release Reporting
Ohio Administrative Code (OAC) 3745-400, Disposal Methods for Construction and Demolition Debris, parts 01-05
Ohio Administrative Code (OAC) 3750-20, Emergency Planning
Ohio Administrative Code (OAC) 3750-30, Hazardous Chemical Reporting
Ohio Administrative Code (OAC) 4101:2, Board of Building Standards
Ohio Administrative Code (OAC) 4101:4, Boiler Inspection: Boiler Code (called 'Ohio Boiler and Unfired Pressure Vessel Rules)
Ohio Administrative Code (OAC) 4101:4-3, Administrative and General Requirements
Ohio Administrative Code (OAC) 4101:8, Inspection: Ohio Pressure Piping Systems Rules (Code)
Ohio Administrative Code (OAC) 4123, Industrial Commission, Bureau of Worker's Compensation
Ohio Administrative Code (OAC) 4101:11, Steam Engineers; Personnel Certification
Ohio Revised Code (ORC) 3704, Air Pollution Control
Ohio Revised Code (ORC) 3710, Asbestos Abatement
Ohio Revised Code (ORC) 3714, Construction and Demolition Debris
Ohio Revised Code (ORC) 3734, Solid and Hazardous Waste
Ohio Revised Code (ORC) 3750, Emergency Planning
3750.07 Owner or Operator to submit list of hazardous chemicals; request for material safety data sheet
3750.08 Emergency and hazardous chemical form to be submitted
Ohio Revised Code (ORC) 4109, Employment of Minors
Ohio Revised Code (ORC) 6109, Safe Drinking Water
Ohio Revised Code (ORC) 6111, Water Pollution Control
DOE-STD-1027-92, Chg. 1, Hazard Categorization and Accident Analysis Techniques for Compliance with DOE Order 5480.23, Nuclear Safety Analysis Reports (Applicable Portions Only)
DOE Personal Property Letter (PPL) 970-3, Revision 1, dated February 3, 1998
State of Ohio Technical Guidance for Sealing Unused Wells, by the State Coordinating Committee on Ground Water, 1996
Sales Contract by and between the United States Department of Energy and the Miamisburg Mound Community Improvement Corporation, January 23, 1998
Interim Utility Agreement by and between the United States Department of Energy and the Miamisburg Mound Community Improvement Corporation, March 18, 1999
Memorandum of Agreement by and between the United States Department of Energy and the Miamisburg Mound Community Improvement Corporation, January 23, 1999
General Purpose Lease by and between the U. S. Department of Energy and the Miamisburg Mound Community Improvement Corporation, September 7, 1994, and all exhibits, attachments and amendments
Memorandum of Agreement between the U. S. Department of Energy and the Advisory Council on Historical Preservation regarding the Disposition of the Mound Plant, September 19, 2000
Memorandum of Understanding (MOU) between the U. S. Department of Energy and the U. S. Department of Justice, Federal Bureau of Investigation's Cincinnati Field Office and Dayton Resident

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Agency, September 9, 1988
Memorandum of Understanding (MOU) between the U.S. Department of Energy and the State of Ohio Emergency Management Agency, April 20, 1989
Mutual Firefighting and Emergency Response Agreement between the City of Miamisburg, Ohio and the U. S. Department of Energy, November 3, 1988
Mutual Use Permit Agreement between the City of Miamisburg, Ohio and the U. S. Department of Energy, January 10, 1983
Memorandum of Understanding (MOU) between the U. S. Department of Energy and the State of Ohio Miami Valley Emergency Management Authority, August 3, 1988
Memorandum of Understanding between the U. S. Department of Energy and the Kettering Medical Center, September 1993
Mound Fire Department/Miamisburg Fire Division Mutual Response Guideline for Fire, Emergency Medical Service (EMS), and the Hazardous Material (HAZMAT) Incidents, February 3, 1999
Agreement between Mound and Oil, Chemical and Atomic Workers International Union Local No. 7-4200, dated effective September 11, 1995
Agreement between Mound and International Union United Plant Guard Workers Local No. 146, dated effective November 13, 1995
Transmittal of Opinion and Final Orders and Permit in the matter of U. S. Department of Energy Mound, Case No., 95-NF-0677, October 21, 1996
October 4, 1995, Director's Final Findings and Orders for mixed waste (Federal Facilities Compliance Act of 1992) between Ohio EPA and DOE
July 15, 1993, Federal Facility Agreement under CERCLA Section 120, signed by DOE, U.S. EPA Region 5 and Ohio EPA
Ohio Hazardous Waste Facility Installation and Operation Permit No. 05-57-0677, issued and effective March 22, 2002, expires March 22, 2007
OU1 Authorization to Discharge from the groundwater treatment works (Authorization No. 1IN90010*AD), issued July 11, 1997, effective August 1, 1997- no expiration date
Permits to Operate An Emissions Unit Boiler No. 1 (B001) 08-57-09-1196 and Boiler No. 2 (B006) 08-57-09-1196, effective 7/31/00, expires 7/31/05
Permit to Operate An Emissions Unit -Building Crusher (F003), 08-57-09-1196, effective 12/10/01, expires 12/10/06
License to Operate or Maintain a Public Water System (No. 02-5744912-67613), effective January 1, 2002, expires January 30, 2003
Pending Permits: National Pollutant Discharge Elimination System (NPDES) Permit No. 11O00005*GD; issued March 31, 1998; effective June 1, 1998; expired March 31, 2002. Permit application for renewal was submitted to Ohio EPA in September 2001. Permit is expected to be issued in early 2003. HEFS Stack air permit to install (P030) issued 1/24/96. Applied for PTO in October 1994. Reapplied for PTO in Feb 2000. PTO not issued.

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Fuel Oil Storage Tank air permit to operate (T005) expired on 2/17/01. Reapplied in February 2001. PTO not reissued.

Air Registrations with the Ohio EPA:

nine (9) standby Power Diesel Generators (B009-B017)

SW/R fumehoods (P12, P014, P015)

Building 48 (P008)

Roadways and Parking Lots (F001)

Underground Line removal diesel generator (B008)

Gas Dispensing Facility (G001)